

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Hugo Henry Hernandez-Bonilla

Case No. 25-MJ-364

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 15, 2024 in the county of Lancaster in the  
Eastern District of Pennsylvania, the defendant(s) violated:

*Code Section*

8 U.S.C. Section 1326(a)

*Offense Description*

Hugo Henry Hernandez-Bonilla, an alien, a native and citizen of El Salvador, who had previously been deported from the United States on or about September 28, 2011, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General or his successor, the Secretary of the Department of Homeland Security, for permission to reapply for admission, and without receiving in response the express consent to reapply for admission, in violation of 8 U.S.C. Section 1326(a).

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet./s/ Gary A. Leathery*Complainant's signature*Gary A. Leathery, Deportation Officer, ICE*Printed name and title*

Sworn to me telephonically in accordance with Fed. R. Crim. P. 41.

Carol Sandra Moore Wells

Date: 2025.02.20

16:56:39 -05'00'

Date: \_\_\_\_\_

*Judge's signature*City and state: Philadelphia, PennsylvaniaHonorable Carol S. M. Wells, U.S. Magistrate Judge*Printed name and title*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** :  
 :  
 v. : **MAGISTRATE NO. 25-364**  
 :  
 **HUGO HENRY HERNANDEZ-BONILLA** :

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

1. I, Gary Leathery, am a Deportation Officer with U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). I have served with ICE-ERO since May 2002. As a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act (“INA”), specifically foreign-born nationals that have been deported from the United States and subsequently re-entered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations, York, Pennsylvania, and my duties include investigating violations of Title 8 of the United States Code (“U.S.C”) to include violations of immigration offenses.
2. I have prepared this affidavit in support of a criminal complaint against Hugo Henry HERNANDEZ-BONILLA (“HERNANDEZ-BONILLA”) because there is probable cause to believe HERNANDEZ-BONILLA, an alien, that is a person who is not a citizen or national of the United States, re-entered the United States after removal, in violation of 8 U.S.C. § 1326(a).
3. This affidavit is based on information that I have obtained from my personal observations, witness interviews, my training and experience, review of documentary evidence, and information provided to me by other members of the

investigation. Because this affidavit is submitted only for the limited purpose of establishing probable cause for a criminal complaint and arrest warrant, it does not include all information known to the government as a result of the investigation.

**Probable Cause**

4. On July 15, 2024, ICE officials received information that HERNANDEZ-BONILLA had been arrested by Lancaster City Bureau of Police in Lancaster County, Pennsylvania and charged with Driving Under the Influence on July 14, 2024.
5. Based on my training and experience, any time a police department or other law enforcement agency runs the fingerprints of any alien (an individual who is not a United States citizen or national) who has previously been encountered by ICE or another immigration agency, ICE receives electronic notification of this fact and any match to the alien's known fingerprint identification number. The electronic notification showed that the Lancaster City Bureau of Police had recently run HERNANDEZ-BONILLA's fingerprints, which suggested that HERNANDEZ-BONILLA, with FBI# 199198TC8, was arrested and taken into custody by Lancaster City Bureau of Police, Lancaster County, Pennsylvania, which is in the Eastern District of Pennsylvania.
6. On February 19, 2025, I conducted a check in the National Crime Information Center ("NCIC") database for HERNANDEZ-BONILLA's criminal history, as well as his immigration history. Under the FBI number provided, 199198TC8, I

discovered that HERNANDEZ-BONILLA had been arrested by the Lancaster City Bureau of Police for Driving Under the Influence.

7. After searching DHS databases, I also learned that HERNANDEZ-BONILLA had previous encounters with immigration officials. On or about March 13, 2009, HERNANDEZ-BONILLA was encountered by an officer authorized under § 287(g) of the INA at the Prince William County Regional Jail, in Prince William County, Virginia. On or about April 3, 2009, HERNANDEZ-BONILLA was served Form I-862, Notice to Appear, and was released on an order of supervision. On or about May 13, 2010, HERNANDEZ-BONILLA was ordered removed in absentia to El Salvador by an immigration judge in Arlington, Virginia. On or about September 28, 2011, HERNANDEZ-BONILLA was removed to El Salvador via Alexandria, Louisiana.
8. Based on my training and experience, I know that ICE maintains a file on all aliens encountered by ICE. This file, known as the Alien File (“A-File”), contains documentation relating to the alien, including his/her photograph, warrants of deportation, fingerprints, documents reflecting criminal history, documents reflecting the country of citizenship, and other documents. Each alien is assigned an identification number, referred to as the “Alien Number.” A search of ICE databases revealed that HERNANDEZ-BONILLA has been assigned Alien Number 087 472 408.
9. I reviewed HERNANDEZ-BONILLA’s Alien File and learned the following. At the time of his deportation, on or about September 28, 2011, HERNANDEZ-BONILLA, a native and citizen of El Salvador, was served with Form I-205,

Warrant of Removal /Deportation, bearing his photograph, right index fingerprint, and signature. On this same date HERNANDEZ-BONILLA was also served an I-294 Warning to Alien Ordered Removed or Deported, bearing his fingerprint. On July 15, 2024, HERNANDEZ-BONILLA was fingerprinted by Lancaster City Bureau of Police which was a positive match to the fingerprint on Forms I-294 and I-205.

10. On July 15, 2024, ICE officers encountered HERNANDEZ-BONILLA through a biometric hit on HERNANDEZ-BONILLA's fingerprints and photo pursuant to his arrest by the Lancaster City Bureau of Police, Lancaster County, Pennsylvania.
11. On January 24, 2025, HERNANDEZ-BONILLA was convicted of Driving Under the Influence in the Court of Common Pleas in Lancaster County, Pennsylvania. He was sentenced to six months of probation. HERNANDEZ-BONILLA is scheduled to report to Lancaster County Probation on Friday, February 21, 2025.
12. On February 19, 2025, based on my review of DHS's electronic databases and documents contained within HERNANDEZ-BONILLA's A-File, I have made the following conclusions:
  - a. HERNANDEZ-BONILLA is a citizen and national of El Salvador.
  - b. This affidavit and the complaint to which it is attached correctly reflects HERNANDEZ-BONILLA's name.
  - c. HERNANDEZ-BONILLA was removed from the United States to El Salvador on one prior occasion.

d. A search of United States Department of Homeland Security databases revealed that HERNANDEZ-BONILLA did not seek or obtain permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter as required by 8 U.S.C. § 1360(d).

13. Based on all of the foregoing, I respectfully submit that the facts set forth in this Affidavit demonstrate that there is probable cause to conclude that HERNANDEZ-BONILLA illegally re-entered the United States after removal in violation of 8 U.S.C. § 1326(a). I therefore respectfully ask that the Court issue a warrant ordering his arrest for such crime.

/s/ Gary Leathery  
Gary Leathery  
Deportation Officer  
Immigration and Customs Enforcement

Sworn and Subscribed Telephonically  
This 20<sup>th</sup> day of February 2025.

Carol Sandra Moore Wells Date: 2025.02.20 16:55:39  
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HONORABLE CAROL S.M. WELLS  
United States Magistrate Judge